

1 Lynn H. Pasahow (CSB No. 054283)  
 2 (lpasahow@fenwick.com)  
 3 Michael J. Shuster (CSB No. 191611)  
 4 (mshuster@fenwick.com)  
 5 Heather N. Mewes (CSB No. 203690)  
 6 (hmewes@fenwick.com)  
 7 Carolyn Chang (CSB No. 217933)  
 8 (cchang@fenwick.com)  
 9 C. J. Alice Chuang (CSB No. 228556)  
 10 (achuang@fenwick.com)  
 11 FENWICK & WEST LLP  
 12 Silicon Valley Center  
 13 801 California Street  
 14 Mountain View, CA 94041  
 15 Telephone: 650.988.8500  
 16 Facsimile: 650.938.5200

17 Attorneys for Plaintiffs/Counterclaim-  
 18 Defendants  
 19 THE REGENTS OF THE UNIVERSITY OF  
 20 CALIFORNIA, ABBOTT MOLECULAR  
 21 INC., and ABBOTT LABORATORIES INC.

Thomas H. Jenkins (Admitted Pro Hac Vice)  
 (tom.jenkins@finnegan.com)  
 Anthony C. Tridico (Admitted Pro Hac Vice)  
 (anthony.tridico@finnegan.com)  
 FINNEGAN, HENDERSON, FARABOW,  
 GARRETT & DUNNER, L.L.P.  
 901 New York Avenue  
 Washington, D.C. 20001-4413  
 Telephone: 202.408.4000  
 Facsimile: 202.408.4400

Tina E. Hulse (CA Bar No. 232936)  
 (tina.hulse@finnegan.com)  
 Wesley B. Derrick (CA Bar No. 244944)  
 (wesley.derrick@finnegan.com)  
 FINNEGAN, HENDERSON, FARABOW,  
 GARRETT & DUNNER, L.L.P.  
 Stanford Research Park  
 3300 Hillview Avenue  
 Palo Alto, California 94304  
 Telephone: 650.849.6600  
 Facsimile: 650.849.6666  
 Attorneys for Defendants/Counterclaim-  
 Plaintiffs  
 DAKO NORTH AMERICA, INC. and DAKO  
 DENMARK A/S

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

THE REGENTS OF THE UNIVERSITY  
 OF CALIFORNIA, ABBOTT  
 MOLECULAR INC., and ABBOTT  
 LABORATORIES INC.,

Plaintiffs,

v.

DAKO NORTH AMERICA, INC., and  
 DAKO DENMARK A/S,

Defendants.

AND RELATED COUNTERCLAIMS.

Case No. C 05-03955 MHP

**STIPULATION AND ~~PROPOSED~~  
 ORDER RE: FILING OF PLAINTIFFS'  
 SECOND AMENDED COMPLAINT AND  
 DEFENDANTS' SECOND AMENDED  
 ANSWER, DEFENSES, AND  
 COUNTERCLAIMS**

1 Plaintiffs The Regents of the University of California, Abbott Molecular Inc. and Abbott  
 2 Laboratories Inc., and Defendants Dako North America, Inc. and Dako Denmark A/S, by and  
 3 through their respective counsel, stipulate as follows:

4 WHEREAS the parties agreed in their June 20, 2008 Further Joint Case Management  
 5 Statement (Docket No. 197) to a July 30, 2008 deadline to amend pleadings;

6 WHEREAS the parties have agreed to their respective amended pleadings, including the  
 7 substitution of Defendant/Counterclaim-Plaintiff Dako A/S with Dako Denmark A/S;

8 THEREFORE, the parties hereby stipulate and agree as follows:

- 9 1. Plaintiffs The Regents of the University of California, Abbott Molecular Inc. and  
 10 Abbott Laboratories Inc. shall have leave to file a Second Amended Complaint, a copy  
 11 of which is attached hereto as Exhibit A.
- 12 2. Defendants Dako North America, Inc. and Dako Denmark A/S shall have leave to file  
 13 an Answer, Defenses and Counterclaims to Plaintiffs' Second Amended Complaint, a  
 14 copy of which is attached hereto as Exhibit B.

15 Dated: July 30, 2008

FENWICK & WEST LLP

16 By: s/LYNN H. PASAHOW  
 17 Lynn H. Pasahow

18 Attorneys for Plaintiffs/Counterdefendants

19 THE REGENTS OF THE UNIVERSITY OF  
 20 CALIFORNIA, ABBOTT MOLECULAR  
 INC., and ABBOTT LABORATORIES INC.

21 Dated: July 30, 2008

FINNEGAN, HENDERSON, FARABOW,  
 22 GARRETT & DUNNER L.L.P.

23 By: s/TINA E. HULSE  
 24 Tina E. Hulse

25 Attorneys for Defendants/Counterclaimants

26 DAKO NORTH AMERICA, INC. and DAKO  
 27 DENMARK A/S

**ORDER**

Pursuant to the foregoing Stipulation, and good cause appearing therefore;

**IT IS SO ORDERED.**

Furthermore, **IT IS HEREBY ORDERED** that the caption in the above-referenced case is hereby modified, such that the Defendants/Counterclaim-Plaintiffs shall hereinafter be Dako North America, Inc. and Dako Denmark A/S.

Dated: August 1, 2008

By: \_\_\_\_\_

